

State of California
AIR RESOURCES BOARD

Executive Order G-99-075

WHEREAS, on December 10, 1998, the Air Resources Board (the "Board") conducted a public hearing to consider the adoption of emission standards and test procedures for new 2001 and later spark-ignition marine engines;

WHEREAS, following the public hearing, the Board adopted Resolution 98-63, in which the Board approved Title 13, California Code of Regulations, sections 2440, 2441, 2442, 2443.1, 2443.2, 2443.3, 2444, 2445.1, 2445.2, 2446, 2447, 2448, and the incorporated "California Exhaust Emission Standards and Test Procedures for 2001 Model Year and Later Spark-Ignition Marine Engines," with the modifications set forth in Appendices A and B thereto;

WHEREAS, the approved regulations were made available for public comment for a period of 30 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of Title 1, California Code of Regulations, section 44; and

WHEREAS, the written comments received during this 30-day comment period have been considered by the Executive Officer and do not require modification nor reconsideration by the Board of the approved regulations.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 98-63 are incorporated by reference herein.

IT IS FURTHER ORDERED, as part of the technology review in 2006, that the staff include an assessment of the overall feasibility of the Tier 3 standards, including the stringency of the emission limits, the length of the useful life period, and the degree of harmonization with U.S. EPA, to provide industry with an opportunity to provide their own assessment of related issues.

IT IS FURTHER ORDERED that the regulatory amendments adopted herein, and any additional documentation identified as necessary for approvability under the federal Clean Air Act and United States Environmental Protection Agency (U.S. EPA), be forwarded to the U.S. EPA for a request for waiver or confirmation that the regulations are within the scope of an existing waiver of federal preemption pursuant to section 209 of the Clean Air Act, as appropriate.

IT IS FURTHER ORDERED, in accordance with Resolution 98-63 that sections 2440, 2441, 2442, 2443.1, 2443.2, 2443.3, 2444, 2445.1, 2445.2, 2446, 2447, 2448 and the incorporated "California Exhaust Emission Standards and Test Procedures for 2001 Model Year and Later Spark-Ignition Marine Engines," are adopted, as set forth in Attachment 1 hereto.

Executed this _____ day of _____, 1999, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachment